

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA DIVISION**

IN RE:
JUSTINA ROONAN
Debtor

JUSTINEA ROONAN
Movant

v.

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS
TRUSTEE FOR CENDANT MORTGAGE
PASS-THROUGH CERTIFICATES
SERIES 2000-B
Respondent

CASE NO. 20-11810-amc

CHAPTER 13

**RESPONSE OF THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW
YORK AS TRUSTEE FOR CENDANT MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2000-B TO DEBTOR'S MOTION TO RECONSIDER
ORDER MODIFYING AUTOMATIC STAY**

Respondent, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR CENDANT MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2000-B, by and through its attorneys, Brock and Scott, PLLC, hereby responds to Debtor's Motion to Reconsider Order Modifying Automatic Stay and in support thereof, avers as follows:

1. Admitted.
2. Admitted
3. Admitted in part. Denied in Part. It is admitted that Respondent filed a Motion for Relief from the Automatic Stay. It is denied that it was filed on November 13, 2020. In fact the MFR was filed on November 6, 2020.

4. Admitted
5. Admitted.
6. Denied. By way of further answer, Respondent is without knowledge or information to respond to this averment. Strict proof is demanded at trial.
7. Admitted.
8. Admitted. By way of further answer, the Debtor is not post-petition current on this loan. The last payment received was on June 26, 2020. Below is the debtor's payment history:

Post-Petition Due	Date Received	Amount Received	Amount Applied	Suspense Application	Suspense Balance
	4/22/2020	\$ 1,411.13		\$ 1,411.13	\$ 1,411.13
4/1/2020	4/23/2020		\$ 1,411.13	\$ (1,411.13)	\$ -
	5/14/2020	\$ 1,411.13		\$ 1,411.13	\$ 1,411.13
5/1/2020	5/15/2020		\$ 1,411.13	\$ (1,411.13)	\$ -
	6/25/2020	\$ 1,411.13		\$ 1,411.13	\$ 1,411.13
6/1/2020	6/26/2020		\$ 1,411.13	\$ (1,411.13)	\$ -

The Debtor currently owes July 1, 2020 – January 1, 2021 at \$1,411.13 for each payment for a total delinquency of \$9,877.91. This amount does not include the fees and costs incurred and listed on Notices of Postpetition Mortgage Fees Expenses and Charges filed on June 23, 2020 listing \$1,200.00 and October 1, 2020 \$650.00 and the fees and costs incurred for the Motion for Relief \$1,231.00 and this Response \$500.00. The Total Fees incurred post-petition is currently \$3,581.00 plus the missing payments of \$9,877.91 for a total delinquency of \$13,458.91. It is Respondent's contention that in order for the Stay to be reimposed this amount will need to be paid or dealt with by the Debtor.

WHEREFORE, Respondent, THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR CENDANT MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2000-B respectfully requests that this Honorable Court deny debtor's Motion to Reconsider Order Modifying Automatic Stay.

Dated: 01/28/2021

/s/ Andrew Spivack
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